

COMMISSIONERS
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BOB STUMP



0000093979

ARIZONA CORPORATION COMMISSION

ORIGINAL

February 23, 2009

To: Docket Control

RE: Far West Water & Sewer, Inc. - Customer Comments
Docket No. WS-03478A-08-0608

Please docket the attached 13 customer comments OPPOSING the above filed rate case.


Customer comments can be reviewed in E-docket under the above docket number.

Filed by: Utilities Division – Consumer Services

Arizona Corporation Commission

DOCKETED

FEB 23 2009

DOCKETED BY 

AZ CORP COMMISSION
DOCKET CONTROL

2009 FEB 23 P 4: 52

RECEIVED

ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM

Investigator: Carmen Madrid**Phone:** ([REDACTED])**Fax:** [REDACTED]**Priority:** Respond Within Five Days**Opinion** **No.** 2009 76800**Date:** 2/20/2009**Complaint Description:** 08A Rate Case Items - Opposed
 N/A Not Applicable**First:****Last:****Complaint By:****Gail****Carlmark****Account Name:**

Gail Carlmark

Home: [REDACTED]**Street:**

[REDACTED]

Work: (000) 000-0000**City:**

Yuma

CBR: [REDACTED]**State:**

AZ

Zip: 85367

is: E-Mail**Utility Company.** **Far West Water & Sewer, Inc.****Division:**

Water

Contact Name:

n/a

Contact Phone: n/a**Nature of Complaint:**

*****WS-03478A-08-0608 Emergency rate application*****

is most recent action by Far West Water & Sewer cements the suspicion of secretiveness raised in the previously filed Docket Number WS-03478A-08-0454. Please, what constitutes this "Emergency?"

Do I have a right to know?

Is my sewer being rendered unusable?

If so, (1) when? and (2) why?

May I once again say, as an unsuspecting customer I am being held hostage by this privately held company, Far West Water & Sewer. [[Holding a dominant position [or a monopoly in the market] is not illegal in itself, however certain categories of behaviour can, when a business is dominant, be considered abusive and therefore be met with legal sanctions.]]*

I may have been more sympathetic had Far West Water & Sewer approached me with reason for the rate increase demand. Although clearly the original 214.8% or this equally ridiculous 101.2% "Emergency" rate hike demand is abusive and would under any circumstance be met with my resistance. However, Far West Water & Sewer chose and continues to choose not to disclose reasons for their demand(s); and once again they raise the level of suspicion by attempting to circumvent the originally planned due process with the word "Emergency" attached to this Docket Hearing.

[WS-03478A-08-0608]

It is my understanding that the City of Yuma chose to contract with Far West Water & Sewer as their wastewater agent in my development. If this is the case then by all ethical business standards the City of Yuma should be expecting a rate increase of 214.8% from their contractor for services rendered. Not the contractors' customer.

Surely the City of Yuma has been alerted to, and is stepping up to assist in this most alarming "Emergency" Far

ARIZONA CORPORATION COMMISSION

UTILITY COMPLAINT FORM

West Water & Sewer states it has. Clearly giving a dominate position to Far West Water & Sewer, which can be subject to legal sanctions, is an oversight by the Yuma City Fathers and current elected officials.

I ask again, why isn't Far West Water & Sewer turning to WIFA? [Water Infrastructure Finance Authority of Arizona].

As stated in my response for Docket xxxx-0454; The proposed monthly fees would grossly exceed any residential rate currently in place within a test group of 29 municipalities of these United States; eight (8) of which are from our own desert region.

And, yes, I will say that the proposed rate increase would impose a tremendous hardship on my household. Personally it will, quite literally take food from my mouth. I certainly hope that by following due process my rights as a consumer will not be ignored.

G.Carlmark

2/19/2009

End of Complaint

Utilities' Response:

Investigator's Comments and Disposition:

2/20/09 Opinion noted and docketed in WS-03478A-08-0608. Closed

End of Comments

Date Completed: 2/20/2009

Opinion No. 2009 - 76800

Arizona Corporation Commission Public Comment Form

Step 1

This form should be used for public comments pertaining to a specific pending case only. Please be sure to reference the appropriate docket number so your comments are filed in the docket promptly. Please use the Consumers Services Assistance Form for complaints, inquiries or general inquiries.

Step 2

YOUR NAME <i>Muriel R. Jackson</i>	DATE <i>Feb. 20, 2009</i>
ADDRESS, CITY, STATE AND ZIP <i>9687 E. 33rd Pl., Yuma, Az. 85365</i>	YOUR PHONE NUMBER <i>(928) 345-1717</i>
DOCKET YOU WISH TO COMMENT ON: <i>Proposed Rate increase for Far West Water & Sewer</i>	DOCKET NUMBER <i>-0608</i> <i>WS-03478A-08-0454</i>
CASE OR UTILITY NAME <i>Far West Water and Sewer, Yuma Arizona</i>	YOUR POSITION ON THE DOCKET PRO <input type="radio"/> CON <input type="radio"/> OTHER <input checked="" type="radio"/>
YOUR E-MAIL ADDRESS	

Step 3

ENTER YOUR COMMENTS HERE:

BASED ON THE FOLLOWING INFORMATION, we the customers of Far West Water and Sewer Co., would like to ask the Arizona Corporation Commission to NOT APPROVE the application submitted by Far west water and Sewer Company. Docket No. WS-03478A-08-0454.

A. Far West provides water and sewer services to the Foothills area east of Yuma. There are approximately 8000 residential and commercial customers in this unincorporated area of Yuma County, who would receive a rate increase of over 200% over a period of three years. Once approved this new rate will be the permanent rate and will continue until Far West decides to raise the rates again.

Please see the Next 2 Pages

If you need additional space for your comments, please use the continuation page below.

Step 4

This form may be completed electronically, printed and mailed to:
**Arizona Corporation Commission, Consumer Services Section, 1200 W. Washington St.
 Phoenix, Arizona 85007;**

or

You may e-mail it as an attachment to:
mailmaster@azcc.gov

Robert And Muriel Jackson
9687 E. 33rd Place
Yuma, Az. 85365-9506

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Step 2

YOUR NAME DENNIS A. RENTZ	DATE 2/18/2009
ADDRESS, CITY, STATE AND ZIP 14635 E 49TH STREET Yuma AZ 85367	YOUR PHONE NUMBER (480) 247-6347
DOCKET YOU WISH TO COMMENT ON: WS-03478A-08-0608	DOCKET NUMBER WS-03478A-08-0608
CASE OR UTILITY NAME FAR WEST WATER & SEWER CO.	YOUR POSITION ON THE DOCKET PRO <input type="radio"/> CON <input checked="" type="radio"/> OTHER <input type="radio"/>
YOUR E-MAIL ADDRESS tdrentz@msn.com	

Step 3

ENTER YOUR COMMENTS HERE:

As a residential customer, we are not in happy with this rate increase. We understand the need to increase due to our current rise in the cost of living, but let's get realistic, this is just not acceptable. We are not full timers in Yuma, to pay for a monthly additional fee and not be there to utilize it? \$45.59 a month to flush your sewer and we are not even there. No way!

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February 19, 2009

Arizona Corporation Commission
Consumer Services Section
1200 W. Washington St.
Phoenix AZ 85007

Re:

Docket for Comment: Proposed Emergency Application for Interim Rates and Charges
(Expedited Action Requested) for Far West Water & Sewer
Case or Utility Name: Far West Water and Sewer Company, Yuma, Arizona
Docket #WS-03478A-08-0608
Position on the Docket: Con

Far West Water and Sewer Company is trying to expedite a rate change by requesting an interim rate increase. This increase comes to over 100% of the existing rate of \$21.75 per month now charged whether the consumer is using his/her property and therefore sewer services for twelve months, for six months or even only for one month per year.

It is not unreasonable to expect a company to make a profit, but it is unreasonable to allow a company to gouge its customers in order to do so. In assessing whether or not to allow this interim sewer rate increase, particularly one so outrageous, it should be remembered that the potential "insolvency" problem described in their request is the result of the business practices of Far West Water and Sewer and not the current consumers.

The current consumers purchased their properties, a good percentage of them originating from the development company also under the same ownership as the water and sewer company, expecting that the company had installed a fully functional sewer system. This was not the case, as determinations made by the ADEQ have proven. It should not be the responsibility of the consumer, who in good faith purchased property expecting a fully operational system, to finance the errors made by the company.

Sincerely,

Richard & Joyce McCrum
RICHARD LEE McCrum
IVA JOYCE McCrum
14807 E. 49th Street
YUMA AZ 85367

McCrum
14807 E. 49th Street
Yuma, AZ 85367

Arizona Corporation Commission

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Step 2

YOUR NAME jonathan sousan	DATE 2/20/2009
ADDRESS, CITY, STATE AND ZIP 13549 e. 52nd drive yuma, arizona 85367	YOUR PHONE NUMBER (928) 305-9084
DOCKET YOU WISH TO COMMENT ON:	DOCKET NUMBER ws-0347a-08-0608
CASE OR UTILITY NAME far west water and sewer company	YOUR POSITION ON THE DOCKET PRO <input type="radio"/> CON <input checked="" type="radio"/> OTHER <input type="radio"/>
YOUR E-MAIL ADDRESS www.jlstlj1@aol.com	

Step 3

ENTER YOUR COMMENTS HERE:

Yikes! I have a limited and fixed income which is dwindling due to the economy, (as do several others I know). I cannot afford this 109.6 % temporary increase. I used to be able to put the sewer on 'hold' while I was not here. Now, if you discontinue the sewer service, I am charged a large reinstatement fee. The water cannot be turned off because my landscaping will die, lowering property values even more. Nor could I afford the cost of having the dead trees removed. Please do not approve this interim emergency rate increase for sewer service. Far West has already had rate increases since they are treating wastewater that is not in the unincorporated areas east of Yuma. They are treating effluence from trailer parks that are within the Yuma City limits. This is part of reason for their need of a new wastewater treatment plant. Rate increases of this nature are causing me to seriously reconsider my retirement residence.

If you need additional space for your comments, please use the continuation page below.

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Step 2

YOUR NAME Robert S. Gilbert	DATE 2-20-09
ADDRESS, CITY, STATE AND ZIP 13620 E 54 th ST Yuma AZ 85367	YOUR PHONE NUMBER 541-410-0475
DOCKET YOU WISH TO COMMENT ON: Far West request for emergency rate increase	DOCKET NUMBER WS-03478A-08-0608
CASE OR UTILITY NAME	YOUR POSITION ON THE DOCKET PRO <input type="radio"/> CON <input checked="" type="radio"/> OTHER <input type="radio"/>
YOUR E-MAIL ADDRESS ✓	

Step 3

ENTER YOUR COMMENTS HERE:

If this increase goes through we are SnowBrids
we would not be able to come down here
Because are Rent would go up and we
Could not afford to return. we have been
Coming here for 10 years and Love it Please
don't increase the fees Robert S. Gilbert

If you need additional space for your comments, please use the continuation page below.

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Step 2

YOUR NAME <i>Robert Reid</i>	DATE <i>FEB 20 2009</i>
ADDRESS, CITY, STATE AND ZIP <i>11603 S DAWN DR YUMA AZ 85367</i>	YOUR PHONE NUMBER <i>928 345 0925</i>
DOCKET YOU WISH TO COMMENT ON: <i>WS-03478A-08-0608</i>	DOCKET NUMBER <i>WS-03478A-08-0608</i>
CASE OR UTILITY NAME <i>FARWEST WATER & SEWER</i>	YOUR POSITION ON THE DOCKET PRO <input type="radio"/> CON <input checked="" type="radio"/> OTHER <input type="radio"/>
YOUR E-MAIL ADDRESS <i>GRAMPAREID@AOL.COM</i>	

Step 3

ENTER YOUR COMMENTS HERE:

I OBJECT TO THE INTERIM RATE INCREASE THAT WILL DOBBLE MY SEWER BILL. I AM RETIRED ON A FIXED INCOME AND CANNOT AFFORD THE INCREASES OF THIS ONE AND THE PERMANENT ONE COMING UP. I THINK THIS COMPANY SHOULD BE INVESTIGATED AND SEE WHERE THEIR UTILITIES MONEY IS GOING. THEY HAVE MADE MANY BAD MANAGEMENT DECISIONS ENDING IN LAWSUITS AND PENALTIES. THEY SHOULD INVEST SOME OF THEIR UTILITE MONEY INTO THEIR UTILITIES INSTEAD THEIR 250 PLUS MOBILE HOME PARK WHICH HAS NO OCCUPANTS.

If you need additional space for your comments, please use the continuation page below.

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Step 2

YOUR NAME <i>Dorothy Reid</i>	DATE <i>2/19/09</i>
ADDRESS, CITY, STATE AND ZIP <i>11603 S. Dawn Dr Yuma, AZ 85367</i>	YOUR PHONE NUMBER <i>928-345-0925</i>
DOCKET YOU WISH TO COMMENT ON: <i>WS-03478A-08-0608</i>	DOCKET NUMBER <i>WS-03478A-08-0608</i>
CASE OR UTILITY NAME <i>Far West Water & Sewer</i>	YOUR POSITION ON THE DOCKET PRO <input type="radio"/> CON <input type="radio"/> OTHER <input checked="" type="radio"/>
YOUR E-MAIL ADDRESS <i>grampareid@aol.com</i>	

Step 3

ENTER YOUR COMMENTS HERE:

I object to this interim emergency rate increase which is a 100% + increase over what we are presently paying. We did not receive notification of this increase until today (2/19/09). When FWWS applied for a permanent increase 6 mos ago (8/29/08) they needed funds to obtain debt + to pay dividends to stockholders (the manager's wife and sister). Now they are claiming to be faced w/insolvency. The owners/stockholders have numerous other companies whose operations intertwine. I question the legitimacy of the financial data being entirely that of Far West's Sewer division.

If you need additional space for your comments, please use the continuation page below.

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Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

Docket Number WS-03478A-08-0608

To the Commission Members:

A few years ago, FWW &S in effect, doubled our sewer rate. Prior to that time, residents could "turn off" their sewer and didn't pay for the sewer during the months they weren't in Yuma. Then, Far West mandated that we pay for sewer services year round, even if they weren't being used, in effect doubling our costs.

Then they had the tragic deaths of two employees. This caused FWW &S to be fined for \$2,000,000 in that case. They have passed their fine and costs on to the customers, even though we were in no way responsible for the deaths.

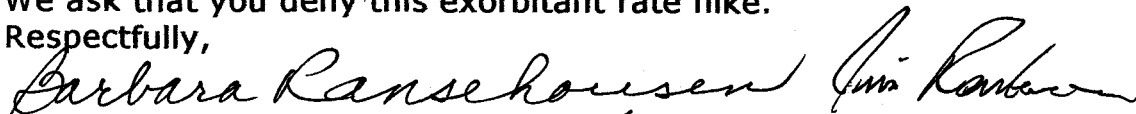
Their sewer plants have not been up to standards, despite frequent complaints to the ACC regarding the odor. The odor is STILL a problem. Truckloads of sewage were removed daily from the plant on County 14th St. Odor persists.

Now, incredibly, H & S Development group has begun a NEW section of homes, which will further overload their overburdened facilities. Why they are allowed to construct new home lots is not something that we understand.

The Foothills residents will begin to leave the area if utility costs skyrocket. Most could understand raising the rates 5% or 10% or even 15%. For them to not only ask for the rates to be raised by 200%, but to ask for an emergency interim raise in addition is unconscionable. We question if the company is being operated in a businesslike way. It seems that they have a lack of foresight and planning.

We ask that you deny this exorbitant rate hike.

Respectfully,

Handwritten signature of Barbara Ransehausen in cursive script.

Barbara and Jim Ransehausen
13186 E. 54th St.
Yuma, AZ 85367
928-345-1207

Feb. 20, 2009

February 18, 2009

To: Arizona Corporation Commission

Consumer Services Section

1200 W. Washington St.

Phoenix, Arizona 85007

RE: Docket Number

Docket Number WS-03478A-08-0608 Emergency

Proposed rate increase for Far West Water & Sewer

Far West Water and Sewer, Yuma, Arizona

BASED ON THE FOLLOWING INFORMATION, we the customers of Far West Water and Sewer Co., would like to ask the Arizona Corporation Commission to not approve the application submitted by Far West Water and Sewer Company. Docket No WS-03478A-08-0454.

We feel the following reasons are well within reason to disapprove this application.

1. Far West provides water and sewer services to the Foothills area east of Yuma, Arizona. There are approximately 8000 residential and commercial customers in this mostly unincorporated area of Yuma County who would receive a rate increase of over 200% over a period of three years. Once approved this new rate will be the permanent rate.
2. Far West Water and Sewer Co and H&S Developers have been fined and are required to pay penalties for numerous repeated alleged water and air quality violations dating back as far as 1989 and as recently as the 50 counts filed September 9, 2008. These penalties could amount to a judgment of millions of dollars. H&S Developers is named because it provided the services until forming Far West Water and Sewer as a separate company in 1998 and transferring the drinking water and wastewater facilities ownership to the new company.
3. Winter Residents currently come in mass to Yuma because of the weather and because it is economically feasible to maintain a second home here. Winter residents increase Yuma's population each year by more than 80,000 people, with the majority living in the Foothills vicinity. This population will be especially affected by this increase. For six to eight months out of the year the absentee residents pay their sewer fees monthly despite the fact that they are not using the wastewater facility. They have returned to their home base.
4. The majority of the residents both permanent and seasonal, living in the Foothills area are on fixed incomes. A fee increase as proposed could potentially force many people to sell or suffer foreclosure. With today's housing crisis a rate increase such as proposed would further add to the declining economy.

IN CONCLUSION

We don't feel that we, the current customers should incur the costs necessary to cover a new wastewater plant needed to compensate for future growth. This cost should be absorbed by impact fees on new subdivision developments.

We strongly feel that this increase is also being requested as a direct result of negligence on the part of Far West Water and Sewer Co. It certainly appears that they were negligent in their planning to prevent numerous ADEQ violations.

We feel that Far West Water and Sewer Co should have up dated the current facilities as far back as 1990 when repeated violations were recorded. These allegations are not assumptions. Records show that repeated violations have been submitted since 1990 from ADEQ. In September 9, 2008, a 49 page complaint in Maricopa County Superior Court was filed against these companies for wastewater violations. We feel that the extra charges requested are to aid H&S Developers and Far West Water and Sewer in paying settlements incurred due to law suits and penalties owed to ADEQ for the negligence.

Far West Water and Sewer is trying to offset the costs incurred in their new development on 48th Street with our dollars. Their lack of sales and poor investments are not our responsibility. It is common knowledge that Far West Water and Sewer and H&S Development have been investing their revenues in future developments instead of maintaining the system that is currently in place. If attention had been given to proper maintenance of the system the Company would not now be requesting this unrealistic cost increase. Other cities in Arizona, when requesting an increase have ranged from 5% to 9% certainly not 200%.

In the present day and age with the economy such as it is we the customers cannot afford this enormous, unrealistic increase. We ask that you seriously consider our concerns and VOTE UNANIMOUSLY again such a ridiculous scheme.

Thank you in advance for your consideration to a very serious problem.

Gerald Hunt

NAME

GERALD HUNT

NAME

9731 E. 34 LN.

ADDRESS

Yuma AZ. 85365

CITY, STATE AND ZIP

February 20, 2009

Arizona Corporation Commission
Consumer Services Section
1200 W. Washington St.
Phoenix, AZ 85007

Re: Emergency Docket No.: WS-13478A-08-0608

To Whom It May Concern:


I am writing to protest the above docket numbers relative to Far West Water and Sewer Company's request for sewer increases in the Foothills of Yuma, AZ.

I find it absolutely absurd that their errors become our price for sewer service which we paid when we bought our lot and which we have been paying for years.

We are senior citizens on fixed income, which income has decreased significantly due to the current financial economy. We purchased two lots, side by side. One to live in and one to rent to supplement our fixed income. Apparently the Schechert family has no concept of how their proposed increase in sewer will affect several thousand land owners. My two tenants who are also senior citizens on fixed incomes have already advised me that they cannot afford any rent increase. We have been absorbing the increases in electricity, insurance, Rural Metro, etc. to avoid losing good tenants who have been with us 3 years for approximately 4 to 6 months of the year and then return to Washington State. My husband and I certainly are not alone in this protest. We also would have to pay the proposed increase on the lot where we live in our manufactured home which would only increase the burden placed on us if increase is approved.

If a petition is circulated, please advise where we can sign it and assist our neighbors in signing same.

Thank you in advance,


DOROTHY J. VASQUEZ

dottieV@prodigy.net

14585 E. 52nd St., Yuma, AZ 85367

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Step 1

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Step 2

YOUR NAME Darryl & Rita Dupuis	DATE 2/20/09
ADDRESS, CITY, STATE AND ZIP 14350 E 51ST STREET Yuma, AZ 85367	YOUR PHONE NUMBER 928-345-9090
DOCKET YOU WISH TO COMMENT ON: Proposed Rate increase for Far West Water & Sewer	DOCKET NUMBER -0608
CASE OR UTILITY NAME Far West Water and Sewer, Yuma Arizona	WS-03478A-08-1
YOUR E-MAIL ADDRESS	YOUR POSITION ON THE DOCKET PRO. <input type="radio"/> CON. <input checked="" type="radio"/> OTHER <input type="radio"/>

THIS UNREASONABLE RATE INCREASE NEEDS TO BE DENIED

Step 3

ENTER YOUR COMMENTS HERE:

BASED ON THE FOLLOWING INFORMATION, we the customers of Far West Water and Sewer Co., would like to ask the Arizona Corporation Commission to NOT APPROVE the application submitted by Far west water and Sewer Company. Docket No. WS-03478A-08-0454.

A. Far West provides water and sewer services to the Foothills area east of Yuma. There are approximately 8000 residential and commercial customers in this unincorporated area of Yuma County, who would receive a rate increase of over 200% over a period of three years. Once approved this new rate will be the permanent rate and will continue until Far West decides to raise the rates again.

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Step 2

YOUR NAME Robert and Frances Boston	DATE 2/20/2009
ADDRESS, CITY, STATE AND ZIP 12674 E. 47th Lane Yuma AZ 85367	YOUR PHONE NUMBER (928) 342-7739
DOCKET YOU WISH TO COMMENT ON: Proposed rate increases Far West Water and Sewer	DOCKET NUMBER ws-03478A-08-0608
CASE OR UTILITY NAME Far West Water and Sewer	YOUR POSITION ON THE DOCKET PRO <input type="radio"/> CON <input checked="" type="radio"/> OTHER <input type="radio"/>
YOUR E-MAIL ADDRESS rboston1@juno.com	

Step 3

ENTER YOUR COMMENTS HERE:

I hereby strongly protest both the proposed emergency rate increase (0608) and the proposed long term rate increase (0454) requested by Far West Water and Sewer (FW).

1. The rates of the proposed increase (101% and up to 214%) are outrageous and totally out of line with the current economy and cost of living allowances in most resident's incomes. We received about a 5% increase in social security and retirement income this year amounting to a total of less than \$100/month. FW proposals alone would take over 50% of our cost of living increase. What does that leave us to pay all of the other increasing cost and taxes? If FW had planned and managed their business in an appropriate way, their rate increases should be in line with their customer's COLA's and income levels.

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Arizona Corporation Commission
Public Comment Form
Continuation Page

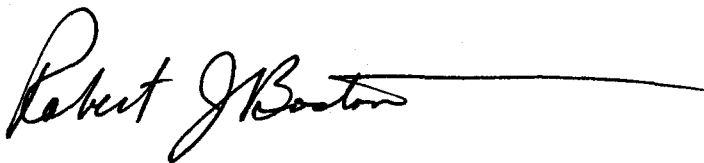
CONTINUE YOUR COMMENTS HERE:

2. Far West, H&S Development, Foothills Bank and many other companies are owned by the Schechert family. Far West W&S was developed primarily so their development associated companies could continue to sell developed lots and homes for obviously very nice profits, while the basic facility side (FW) was allowed to flounder. Lack of investment in proper treatment facilities and capacity caused ADEQ to issue violations and a moratorium on all additional connections (AKA land and housing developments by H&S and others) to the system for a couple of years. This moratorium by ADEQ was recently lifted and now the company is asking for these ridiculous rate increases so they can continue to develop and sell more lots and homes in the Foothills. The moratorium should never had been lifted until impact fees were assessed against all new hookups to the system. Current FW ratepayers should not have to pay outlandish increases for new facilities and expansion of the FW system so the development side of the business can continue to develop properties and make obviously nice profits.

All of us recognize a need for reasonable, periodic rate increases but those increases should be in line with customer's COLA's and ability to pay. We should not be required to pay for expansions to a system needed for future land sales and development. If the developers want to add new connections and need increased capacity, then they should pay for it!

We the ratepayers have no voice or choice in the management of Far West Water and Sewer and as a result, we are at the mercy of poor management, poor planning and past lack of investment in the treatment facilities. We should not have to pay for those mistakes now.

I recommend that you grant a small, reasonable increase(5-10%) to compensate FW for normal increased operating costs. I also request that you issue a moratorium on all new connections to the system until developers are willing to pay the cost of adding needed facilities and capacity to meet their needs.

Robert J. Boston